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OFFICE OF PETITIONS

In re Patent No. 6,910,704 :
Issue Date: June 28, 2005 :
Application No. 10/809,433 :
Filed: March 26, 2004 :
Attorney Docket No. 24472.00 :

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed June 4, 2010 and supplemented on June 6, 2010, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks item (1) above.

The petition is not considered to contain a proper statement of unintentional delay since the petition is presently not deemed to have been submitted by a proper party in interest within the meaning of 37 CFR 1.378(d).

If the petition is signed by an assignee or other party in interest, compliance with 37 CFR 3.73(b) must be satisfied. Accordingly, the attached blank Certificate Under 37 CFR 3.73(b) form must be completed to indicate the interest and authority of Stephanie E. Celiceo to sign the instant petition to reinstate the above-identified expired patent.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
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By internet: EFS-Web
 www.uspto.gov/ebc/efs_help.html
 (for help using EFS-Web call the
 Patent Electronic Business Center
 at (866) 217-9197)

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

Attachment: Blank Certificate Under 37 CFR 3.73(b)

Cc:

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